



REMARKS

Claims 1-11 are pending in the present application. In the Office Action, Claim 8 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,466,964 B1 (Leung) and Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,160,804 (Ahmed) in view of Leung. It is gratefully acknowledged that Claims 1-7 are allowable and Claims 10 and 11, although they were objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim.

Claims 1, 7, 8 and 9 are the independent claims.

Regarding the Examiner's rejection of Claim 8, the Examiner states that Leung teaches all the recitations of Claim 8. After review of Leung, it is respectfully submitted that the Examiner is incorrect. Leung discloses a method and apparatus for enabling a node that does not support Mobile IP to roam from a first foreign agent to a second foreign agent. Although Leung discloses tunneling between a home agent and a foreign agent, Leung does not teach or suggest a forward tunnel between the corresponding node and the foreign agent, but instead teaches the use of a dummy interface IP address assigned to multiple foreign agents, which teaches away from the present invention.

In contrast, Claim 8 recites decapsulating in the foreign agent a data packet received from the correspondent node and transmitting the decapsulated data packet to the mobile node, when the correspondent node transmits a data packet encapsulated with a tunneling IP header for forward tunneling to the foreign agent using the IP address of

the foreign agent, and upon receipt of a data packet for communication with the correspondent node from the mobile node through a radio channel, encapsulating in the foreign agent the received data packet with a tunneling IP header for reverse tunneling, and transmitting the encapsulated data packet to the correspondent node, which is neither taught nor suggested by Leung. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §102(e) of Claim 8 be withdrawn.

Regarding the Examiner's rejection of Claim 9, the Examiner states that Ahmed teaches all the recitations of Claim 9 except "encapsulating the data packet with a tunneling IP header for reverse tunneling and transmitting the encapsulated data packet to the correspondent node, if the correspondent node can perform reverse tunneling," which the Examiner alleges is taught by Leung.

Ahmed discloses an apparatus and method for location management.

Leung discloses a method and apparatus for enabling a node that does not support Mobile IP to roam from a first foreign agent to a second foreign agent.

In contrast, Claim 9 as amended recites "transmitting tunneling indication information indicating whether the correspondent node can decapsulate a data packet encapsulated by the foreign agent, from the correspondent node to the foreign agent having the IP address and determining in the foreign agent whether the correspondent node can perform reverse tunneling, by consulting the tunneling indication information," which is neither taught nor disclosed by Ahmed or Leung or the combination thereof. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of

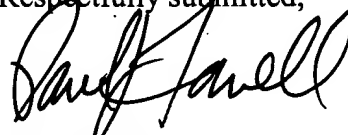
Claim 9 be withdrawn.

Independent Claims 8 and 9 are believed to be in condition for allowance.

Without conceding the patentability per se of dependent Claims 10-11, these are likewise believed to be allowable by virtue of their dependence Claim 9. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 10-11 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-11, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

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